

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3609 of 1992

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

=====

1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

-----  
RAJABHAI K SURANI

Versus

DIST REGISTRAR

-----  
Appearance:

MR KS JHAVERI for Petitioners

MRS SIDDHI TALATI for Respondent No. 1, 2, & 3

None present for Respondent No. 4

-----  
CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 29/08/97

ORAL JUDGMENT

1. The matter was called out for hearing in the first round, then in the second round in the first sitting and lastly in the third round in the second sitting, but none put appearance on behalf of respondent No.4.

2. Heard learned counsel for the parties and perused the Special Civil Application.

3. Challenge has been made by the petitioner to the order of the Registrar, District Cooperative Societies, Bhavnagar dated 19th May, 1992, annexure 'C' under which in place of Shri Ratanpar Seva Cooperative Society, Ratanpar, Tal. Palitana, District Bhavnagar, a custodian has been appointed. This order has been stayed by this Court and for all these years it has not been given effect to for the reasons aforesaid. So the custodian could not have taken the charge of Managing Committee of the aforesaid society and Managing Committee continued to work. The counsel for the parties are in agreement that the term of the Managing Committee is a fixed term and by now there is a possibility that fresh Managing Committee would have been elected.

4. Taking into consideration the totality of the facts of this case aforesaid, I do not find any justification now to give effect to the order impugned in this special civil application. However it shall be open to the respondent to consider the matter afresh, if necessity so arise in accordance with law.

5. In the result, this special civil application and rule stand disposed of in the aforesaid terms with no order as to costs.

\*\*\*\*\*